

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)) Chapter 11
))
GRIDDY ENERGY LLC, ¹)) Case No. 21-30923 (MI)
))
Debtor.))
))

**CERTIFICATE OF COUNSEL
REGARDING DEBTOR'S EMERGENCY**

**MOTION FOR ENTRY OF AN ORDER: (I) SETTING BAR
DATES FOR FILING PROOFS OF CLAIM, INCLUDING REQUESTS FOR
PAYMENT UNDER SECTION 503(B)(9); (II) ESTABLISHING AMENDED
SCHEDULES BAR DATE AND REJECTION DAMAGES BAR DATE;
(III) APPROVING THE FORM OF AND MANNER FOR FILING PROOFS
OF CLAIM, INCLUDING SECTION 503(B)(9); (IV) APPROVING
NOTICE OF BAR DATES; AND (V) GRANTING RELATED RELIEF**

Pursuant to paragraph 42 of the *Procedures for Complex Chapter 11 Cases in the Southern District of Texas*, the undersigned counsel for the debtor and debtor in possession in the above-captioned case (the “Debtor”) hereby certifies as follows:

1. On March 15 2021, the Debtor filed the *Debtor’s Emergency Motion for Entry of an Order: (i) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(b)(9); (ii) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date; (iii) Approving the Form of and Manner for Filing Proofs of Claim, Including Section 503(b)(9); (iv) Approving Notice of Bar Dates; and (v) Granting Related Relief* [Docket No. 16] (the “Motion”).

¹ The last four digits of its federal tax identification number of the Debtor are 1396. The mailing address for the Debtor is PO Box 1288, Greens Farms, CT 06838.

2. The Court held hearings with respect to the Motion on March 15, 2021 and March 19, 2021. Following such hearings, the Debtor filed revised proposed orders approving the Motion. *See* Docket Nos. 81 & 91.

3. On March 29, 2021, the Court held an additional hearing on the Motion. On March 30, 2021, the Court entered the *Order for Non-Former Customers of the Debtor Only*: (i) *Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(b)(9)*; (ii) *Establishing Amended Schedules Bar Date and Rejection Damages Bar Date*; (iii) *Approving the Form of and Manner for Filing Proofs of Claim, Including Section 503(b)(9) Requests*; and (iv) *Approving Notices of Bar Dates* [Docket No. 107] (the “Non-Customer Bar Date Order”), which set the bar date applicable to all of the Debtor’s creditors other than the Former Customers.²

4. With respect to the bar date applicable to Former Customers, the Debtor received informal comments to the proposed order approving the Motion and related notices from the State of Texas, by and through the Office of the Attorney General of Texas, and the Official Committee of Unsecured Creditors.

5. The informal comments received have since been resolved and the parties have agreed to the form of notice of the bar date to be provided to Former Customers.

6. Attached hereto as Exhibit 1, is the proposed *Order for Former Customers of the Debtor Only*: (i) *Setting Bar Date for Filing Proofs of Claim*; (ii) *Approving the Form of and Manner for Filing Proofs of Claim*; and (iii) *Approving Notice of Bar Dates* (the “Proposed Former

² A “Former Customer” is a person that (a) was a retail electricity customer (or legal representative of such customer) of the Debtor at any point from February 11, 2021 through February 19, 2021 and (b) is the holder of a claim of any kind against the Debtor that arose during or relates to the period from February 11, 2021 through February 19, 2021.

Customer Bar Date Order"). Additionally, attached hereto as Exhibit 2, is a redline of the Former Customer Bar Date Order reflecting changes from the Non-Customer Bar Date Order.

7. The Debtor respectfully requests that the Court enter the Proposed Former Customer Bar Date Order at the earliest convenience of the Court.

[The remainder of this page is intentionally left blank.]

Dated: May 11, 2021

BAKER BOTTS L.L.P.

By: /s/ Chris Newcomb
Robin Spigel (admitted *pro hac vice*)
Robin.Spigel@bakerbotts.com
Chris Newcomb (admitted *pro hac vice*)
Chris.Newcomb@bakerbotts.com
30 Rockefeller Plaza
New York, New York 10012-4498
Telephone: (212) 408-2500
Facsimile: (212) 259-2501

-and-

David R. Eastlake
Texas Bar No. 24074165
David.Eastlake@bakerbotts.com
910 Louisiana Street
Houston, Texas 77002-4995
Telephone: (713) 229-1234
Facsimile: (713) 229-1522

Counsel to the Debtor and Debtor in Possession

Certificate of Service

I certify that on May 11, 2021, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Chris Newcomb
Chris Newcomb